



**CENTRAL
HAWKE'S BAY**
DISTRICT COUNCIL

27 September 2021

Duncan Leighton
C/- Development Nous Ltd
Po Box 385
Hastings 4156

Attention: Lisa Poynton

Dear Lisa,

Ruataniwha Street,
PO Box 127, Waipawa 4240
New Zealand

Phone: 06 857 8060
Fax: 06 857 7179

info@chbdc.govt.nz
www.chbdc.govt.nz

Re: Five lot subdivision - D F Leighton - RM210082

The Customer and Consents Manager under delegated authority from the Central Hawke's Bay District Council on 27 September 2021 approved the application as follows:

That pursuant to Sections 104, 104A, 106 and 220 of the Resource Management Act 1991, the Central Hawke's Bay District Council grants subdivision consent to subdivide the site at 99 Tamumu Road, Waipawa being Lot 2 DP 487954 (RT: 698965) into five residential allotments plus an access allotment; and to cancel consent notice 11378265.5 pursuant to Section 221(3) of the Resource Management Act 1991.

REASONS FOR DECISION

- (1) The Council is satisfied the adverse effects of the activity on the environment will be no more than minor.
- (2) The adverse effects on any person are less than minor.
- (3) The Council is satisfied the activity is consistent with the provisions of the Operative District Plan and the Proposed District Plan.
- (4) The proposal meets the requirements set out in s106 of the RMA by ensuring that no hazards are created or exacerbated by this proposal and access from the road can be provided to each lot.

CONDITIONS:

General

1. The subdivision shall proceed in general accordance with the application submitted to the Central Hawke's Bay District Council on 12/04/2021, including the documents set out in the table below.

Document	Name	Author	Date	Reference
Assessment of Environmental Effects	Assessment of Environmental Effects: Project at 99 Tamumu Road, Waipawa	Development Nous Ltd	8 April 2021	H20200077
Scheme Plan	Proposed Subdivision of Lot 2 DP 487954 Comprised in RT 698965	Development Nous Ltd	10/03/2021	H20200077-SCHEME-010, Rev A
Engineering Services Report including appendices (Civil Servicing Plans and Detailed Calculations	Engineering Services Report: 99 Tamumu Road, Waipawa	Development Nous Ltd	8 April 2021	H20200077

Easements

2. All easements shown on the scheme plan shall be duly granted and reserved and included on the cadastral survey dataset.

Amalgamation

3. The following amalgamation condition must be endorsed on the cadastral survey dataset:

"That Lot 6 hereon be held in 5 undivided 1/5th shares by the owner of Lots 1-5 hereon as tenants in common in the said shares and that individual records of title be issued in accordance herewith".

See LINZ reference: 1718689

Engineering Design

4. The subdivision shall be design and constructed in accordance with the New Zealand Standard NZS4404:2010, Land Development and Subdivision Infrastructure, unless otherwise agreed to by the Central Hawke's Bay District Council or altered by the conditions within this decision.

Design Drawings

5. Prior to requesting approval under Section 224 of the Resource Management Act 1991 the Consent Holder shall provide complete engineering drawings consistent with **Condition 4** detailing all (proposed new or altered public assets including stormwater, wastewater and water services, and access lot construction). The plans shall be prepared by a suitably qualified and registered chartered engineer or other suitably qualified persons as defined in Section 1.7 of New Zealand Standard NZS4404:2010. These drawings shall be submitted for certification from the Customer and Consents Manager at the Central Hawke's Bay District Council.

The submitted wastewater service drawings shall also include (but are not limited to):

- a) Confirmation of the method of wastewater disposal.
- b) Private system design/s required to connect to the pressurised/gravity wastewater mains, including any pump designs.
- c) Any other details as required by the conditions within this decision.

The submitted stormwater service drawings shall also include (but are not limited to):

- a) Plans and a report detailing the existing natural overland stormwater flows across the site. The report and accompanying plans will need to detail the primary and secondary flow paths expected post development. The plans and report must be prepared by a suitably qualified and experienced engineer. Specific Plans and details of proposed secondary flow paths from the proposed access lot areas should also be provided.
- b) Undertake an assessment to determine stormwater pre-development peak flow rates for each individual lot for a 10 year 10 minute AEP event.
- c) Details on how stormwater from access lot will be managed onsite during a 10 year 10 minute AEP event.
- d) Any other details as required by the conditions within this decision.

The submitted drawings for the access lot shall include (but are not limited to):

- a) Servicing trenches for potable water supply, stormwater and wastewater services and other telecom and power services.
- b) All service laterals shall extend a minimum of 1.0m into the allotment boundaries.
- c) All service pipes and their sizes, water manifolds, tobies and meters, and their meter boxes.
- d) the turning head at the end of Lot 6.
- e) Details on attenuation and disposal of stormwater from the rights of way.

- f) Footpath design and location.
- g) Any other details as required by the conditions within this decision.

Form Schedule 1A of NZS 4404:2010 shall be completed and submitted along with the drawings.

Connections to Councils Reticulated Networks

- 6. All stormwater, wastewater and water services shall be constructed and connected to Council's public networks in accordance with New Zealand Standard NZS4404:2010, Land Development and Subdivision Infrastructure and to the satisfaction of the Central Hawke's Bay District Council's Three Waters Operations Manager. Stormwater must discharge into Bush Drain, as shown on the scheme plan approved under Condition 1 above.

Note: *The consent holder will need to apply for service connections, all applications will need to be submitted to the Central Hawkes Bay District Council and the works shall be carried out by an approved contractor.*

Earthworks

- 7. All earthworks shall be undertaken in accordance with the "Hawkes Bay Waterway guidelines - Erosion and Sediment Control", prepared by the Hawkes Bay Regional Council, ISBN No: 1-877405-35-3, dated April 2009. (Reference: [1 \(hbrc.govt.nz\)](http://1(hbrc.govt.nz)))

Construction Noise

- 8. The construction activity shall be conducted to ensure that noise levels when measured at the boundary of any site zoned residential shall not exceed the noise limits within New Zealand Standard NZS6803: 1999 Acoustics- Construction Noise.

Water Services

- 9. Prior to any request for Section 224(c) certification under the Resource Management Act 1991 the consent holder shall supply and install the sluices valves and a 100mm internal diameter PE water rider main in Lot 6 from the 100mm internal diameter UPVC High Pressure Main in Tamumu Road. Three-way Sluice Valving shall be supplied and installed at the connection to the High-Pressure Main in Tamumu Road in accordance with the design and specifications approved in **Condition 5**.
- 10. Prior to any request for Section 224(c) certification under the Resource Management Act 1991 the consent holder shall supply and install water supply laterals 1.0m into Lots 1 to 5 to the wastewater network as approved in **Condition 5**.

Water Supply for Fire-Fighting purposes

- 11. Prior to any request for Section 224(c) certification under the Resource Management Act 1991 the consent holder must demonstrate a suitable firefighting water supply is provided to all lots in accordance with SNZ PAS 4509:2008 (Publicly Available Specification New Zealand Fire Fighting Water Supplies Code of Practice) or alternative design approved by the New Zealand Fire Service.

Wastewater Services

- 12. Prior to any request for Section 224(c) certification under the Resource Management Act 1991 the consent holder shall either:
 - (a) supply and install an internal Gravity Wastewater Network to service the subdivision that discharges into a new pump station which will then discharge via a pressurised wastewater pipe up to and along to Tamumu Road and then down along Johnson Street into the Existing Council Wastewater Network located in Johnson Street. A manhole shall be constructed where the pressurised main meets the existing main in Johnson Street if one does not already exist.; or
 - (b) supply and install pump station/s and a pressurised wastewater pipe network within the subdivision to the 100mm internal diameter wastewater gravity main in Tamumu Road. A manhole shall be constructed

where the pressurised main meets the existing main in Tamumu Road. A pump station must be constructed and located within Proposed Lot 6.

Wastewater disposal shall be constructed in accordance with the plans approved in **Condition 5**.

13. Prior to any request for Section 224(c) certification under the Resource Management Act 1991 the consent holder shall supply and install wastewater laterals 1.0m into Lots 1 to 5 to the wastewater network as approved in **Condition 5**.

Stormwater Services

14. Prior to any request for Section 224(c) certification under the Resource Management Act 1991, the Consent Holder shall provide and install a stormwater lateral 1.0m into Lots 1 to 5 and pipe stormwater through Right of Way Area 'A' to discharge into Bush Drain.

Stormwater Attenuation - Access Lot 6

15. Prior to any request for Section 224(c) certification under the Resource Management Act 1991, the Consent Holder shall provide engineering drawings and calculations for technical certification by the Council's Consents and Customer Service Manager, which demonstrate hydraulic neutrality is achieved at post-development stage for the access lot for Lot 6. The construction of the access lot and associated stormwater attenuation features must be installed in accordance with the engineering drawings and calculations as certified by the Council's Consents and Customer Service Manager.

Note: it is anticipated that this consent condition may be satisfied by providing an upsized stormwater drainage pipe with restricted outlet flow to meet pre-development flows.

Damage to Council Assets

16. The consent holder shall be responsible for any damage to Council's existing infrastructure and roads caused by the development during construction. The damage shall be repaired under the direction of Council at the consent holders' expense.

Consent Notice to be Cancelled

17. Pursuant to Section 221(3)(b) of the Resource Management Act 1991, consent notice 11378265.5 registered on the Certificate of Title for Lot 2 DP 487954 (RT: 698965) shall be cancelled.

Consent Notice

18. Pursuant to Section 221 of the Resource Management Act 1991, a consent notice shall be registered on the Records of Title for **Lots 1 to 5** advising the current and future owners thereof of the following requirements:

Vehicle Access

- a) *Lots 1 and 5 must not have vehicle access from Tamumu Road. Vehicle access must be provided from Lot 6 (shared access lot) of the subdivision approved by Council under RM210082.*

Minimum Floor Levels and Survey Certification

- b) *Prior to the foundations being poured a Surveyors Certificate is required confirming that any dwelling or building on Lot 1 has a minimum floor level of 34.9m RL (Hawke's Bay datum).*

The surveyor's certificate must include the following information:

- (i) *A defined datum that can be easily accessed and used to check the minimum floor level.*
- (ii) *A site plan showing the location of the datum, the constructed building/s and the minimum floor level.*

- (iii) *A written statement from a Licensed Cadastral Surveyor confirming that the building/s has been built to the required minimum floor level.*

Stormwater

- c) *Stormwater from hardstand areas and roofs shall be attenuated so that peak run-off flows from the site does not exceed pre-development peak flows calculated as part of the subdivision consent for the property for a 10 year, 10 minute ARI event (held on Central Hawke's Bay District Council file RM210082). Details and supporting calculations demonstrating how this requirement will be complied with shall be provided as part of any application for building consent. The attenuation system shall remain operational and be maintained by the owner on an on-going basis.*

Notes:

- *on-site attenuation for each lot would normally be provided in a tank.*
- *In addition to any attenuation required by the above conditions, the Central Hawke's Bay District Council Stormwater Bylaw 2021 requires as a minimum, a tank with a minimum capacity of 3000 litres, provided to each lot for stormwater retention purposes.)*

Certification of Completed Works

19. Prior to requesting approval under Section 224 of the Resource Management Act 1991 for each stage, the Consent Holder shall submit a written statement from a suitably qualified persons as defined in Section 1.7 of New Zealand Standard NZS4404:2010, that:

- (i) The physical works have been carried out in accordance with the engineering plans.
- (ii) The physical works meets New Zealand Standard NZS4404:2010, or as otherwise agreed in writing by the Central Hawke's Bay District Council.

Form Schedule 1C of NZS 4404:2010 shall be completed and submitted along with the written statement.

As-builts

20. Prior to any request for Section 224(c) certification under the Resource Management Act 1991 the Consent Holder shall submit to the Customer and Consents Manager at the Central Hawke's Bay District Council 'As Built' plans for all right of way, service construction and service upgrades required by the conditions of this subdivision consent. The as-builts shall be in accordance with Schedule 1D of NZS4404:2010 Land Development and Subdivision Infrastructure.

Conditions Met

21. Prior to certification pursuant to section 224(c) of the Resource Management Act 1991, the consent holder must provide to Council a written statement confirming how the above consent conditions have been met.

ADVICE NOTES:

(1) Conditions of Consent

Unless otherwise stated within the conditions of this subdivision consent, all conditions must be met at the consent holder's expense, prior to any application for a Section 224(c) certificate and the issue of any new record/s of title. If you have any questions, please feel free to contact the Duty Planner at the Central Hawke's Bay District Council to discuss this matter further. The contact details are: Phone: (06) 8578060, Email: planner@chbdc.govt.nz

(2) Lapse of Consent

Under section 125 of the RMA, this consent lapses five years after the date it is granted unless:

- a) A survey plan is submitted to Council for approval under section 223 of the RMA before the consent lapses, and that plan is deposited within three years of the approval date in accordance with section 224 of the RMA; or
- b) An application under section 125 of the RMA is made to the Council before the consent lapses (five years) to extend the period after which the consent lapses and the Council grants an extension.

(3) Archaeological Material

If the owners of the property, or their contractor, discover any archaeological material (including human remains) during any works they are advised to cease work and contact Heritage New Zealand immediately.

(4) Earthworks

In regard to earthworks required to form any of the proposed works (e.g., building platforms and rights of way), it is noted that compliance with the standards of the Regional Resource Management Plan Rule 7 'Vegetation Clearance and Soil Disturbance' is required.

(5) Subdivision Expenses

Unless otherwise stated the above conditions shall be met at the expense of the subdivider and prior to the release of a certificate in accordance with Section 224(c) of the Resource Management Act 1991.

(6) Subdivision Certification Fees

The fees payable for certification of this subdivision are as follows. These fees are correct at the time of writing and are subject to change in accordance with Council's Schedule of Fees and Charges:

223 and 224 certification (1-7 lots)	\$650
Consent Notice(s)	\$250
Property file creation (fee per new lot created)	\$75
Vehicle Crossing Approval	\$210

(7) Development Contributions

Development Contributions are required to be paid for each new lot on the plan of subdivision or for each new unit of demand constructed. Development Contributions must be paid prior to the issue of a certificate pursuant to section 224 of the Resource Management Act 1991 for Development Contributions charged as part of a resource consent.

This application was lodged 24 April 2021 and has been assessed under the Council's 2018 Development Contributions Policy. Council has completed its assessment of development contributions payable for the above project. Based on this assessment the total Development Contributions sum payable is: \$8,423.59 (Inc GST).

Activity	Levy
Water Supply	\$7,809.62
Wastewater	\$613.97
Total Contribution (GST Inc)	\$8,423.59

Full Payment is required:

- before an application for certificate under s224(c) of the Resource Management Act 1991
- prior to the uplift of the building consent
- or upon a request for service connection

whichever occurs sooner.

Section 208 (9) of the Local Government Act 2002 states that when payment of a contribution is required and not received, Council may:

- On a subdivision consent withhold the s224(c) certificate RMA, 1991.
- Prevent the commencement of a resource consent under RMA, 1991.
- Where a contribution is required at building consent stage, Council may withhold the compliance certificate.
- Where a contribution is required at connection stage, withhold the service connection.

For information regarding development contributions please refer to the current Development Contributions Policy which can be found at www.chbdc.govt.nz, under Policies.

(8) Vehicle Crossings

A vehicle crossing application needs to be completed and returned to the land transport department before any work commences. If a temporary vehicle crossing is required to be installed before building consent is applied for any future development, an application to construct this vehicle crossing will still need to be made.

(9) Power and Telephone

Council has not required the installation of power and telecommunications services to the lots, and it is recommended that prospective owner investigate servicing costs.

(10) Street Address

The site may not be recognised as 99 Tamumu Road going forward, as this number does not align with the rest of the numbering along the road and will need to match with the location of the vehicle crossing. Each allotment will be allocated an address by Council following the receipt of an application under Section 224(c) of the Act.

(11) Variations

Should the applicants wish to apply for a change or cancellation of any of the conditions of consent in accordance with Section 127 of the Resource Management Act 1991 such application must be made to Council in writing prior to issue of a certificate under Section 224(c) of the Resource Management Act 1991.

(12) Objections

Any objection to Council's decision on such application must be made in writing in accordance with Section 357 of the Resource Management Act 1991 within 15 working days of notification of this decision and be accompanied by the required Council fee.

(13) Other Consents

The consent holder is responsible for obtaining all other necessary consents, permits, and licences, including those under the Building Act 2004, and the Heritage New Zealand Pouhere Taonga Act 2014. This consent does not remove the need to comply with all other applicable Acts (including the Property Law Act 2007 and the Health and Safety at Work Act 2015) relevant Bylaws, and rules of law. This consent does not constitute building consent approval. Please check whether a building consent is required under the Building Act 2004.

Should you have any queries with regard to this consent please do not hesitate to contact me.

Yours sincerely,



Robyn Burns
Customer and Consents Manager